

Agricultural Marketing Service, USDA

§ 931.10

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AUTHORITY: 7 U.S.C. 601-674.

SOURCE: 30 FR 12285, Sept. 25, 1965, unless otherwise noted.

Subpart—Order Regulating Handling

DEFINITIONS

§ 931.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 931.2 Act.

Act means Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (sections 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

§ 931.3 Person.

Person means an individual, partnership, corporation, association, or any other business unit.

§ 931.4 Production area.

Production area means and includes the States of Oregon and Washington.

§ 931.5 Pears.

Pears means all pears grown in the production area classified botanically as belonging to the Bartlett cultivar of *Pyrus Communis*.

§ 931.6 Variety.

Variety means any type or strain of pears which has distinctive attributes and is designated by a common name, such as Red Bartlett.

§ 931.7 Fiscal period.

Fiscal period means the period beginning July 1 of any year and ending June 30 of the following year or such other period as the committee, with the approval of the Secretary, may establish.

§ 931.8 Committee.

Committee means the Northwest Fresh Bartlett Pear Marketing Committee established pursuant to § 931.20.

§ 931.9 Grade.

Grade means any one of the officially established grades of pears as defined and set forth in:

(a) United States Standards for Summer and Fall Pears (7 CFR 51.1260 *et seq.*) or amendments thereto, or modifications thereof, or variations based thereon; or

(b) Standards for pears issued by the State of Oregon or the State of Washington or amendments thereto, or modifications thereof, or variations based thereon.

§ 931.10 Size.

Size means the number of pears which can be packed in a standard western pear box 18 inches long, 11½ inches wide, and 8½ inches deep (inside measurements) when packed in accordance with the packing requirements of the U.S. Standards for Summer and Fall Pears (effective August 20, 1955), or as such standards thereafter may be modified, or *Size* means the greatest transverse diameter of the pear taken at right angles to a line running from the stem to the blossom end, or such

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other specifications as may be established by the committee, with the approval of the Secretary.

§ 931.11 Grower.

Grower is synonymous with *producer* and means any person who produces pears for fresh market and who has a proprietary interest therein.

§ 931.12 Handler.

Handler is synonymous with *shipper* and means any person (except a common or contract carrier transporting pears owned by another person) who handles pears.

§ 931.13 Handle.

Handle or *ship* means to sell, deliver, consign, or transport pears within the production area or between the production area and any point outside thereof: *Provided*, That the term *handle* shall not include the transportation within the production area from the orchard where grown to a packing facility located within such area for preparation for market.

§ 931.14 District.

District means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to § 931.31(m):

(a) *Wenatchee District* shall include the counties of King, Chelan, Douglas, Grant, Lincoln, Spokane in the State of Washington, and all other counties in Washington lying north thereof.

(b) *Yakima District* shall include all of the State of Washington not included in the Wenatchee District or in the Hood River-White Salmon District.

(c) *Mid-Columbia District or the Hood River-White Salmon District* shall include those counties in the State of Oregon not included in the Medford District and the counties of Skamania and Klickitat in the State of Washington.

(d) *Medford District* shall include the Counties of Jackson, Josephine, Curry, Coos, Douglas, Lane, and Klamath in the State of Oregon.

§ 931.15 Export.

Export means to ship pears to any destination which is not within the 48

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contiguous States, or the District of Columbia of the United States.

§ 931.16 Pack.

Pack means the specific arrangement, size, weight, count, or grade of a quantity of pears in a particular type and size of container, or any combination thereof.

§ 931.17 Container.

Container means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of pears.

ADMINISTRATIVE BODY

§ 931.20 Establishment and membership.

There is hereby established a Northwest Fresh Bartlett Pear Marketing Committee consisting of fourteen (14) members, each of whom shall have an alternate who shall have the same qualifications as the member for whom his is an alternate. Eight (8) of the members and their respective alternates shall be growers or officers or employees of growers. Six (6) of the members and their respective alternates shall be handlers or officers or employees of handlers. Each district shall be represented on the committee by two (2) grower members and their respective alternates who are producers of pears in such districts. The Yakima and Medford Districts shall each be represented on the committee by two (2) handler members and the Wenatchee and Mid-Columbia Districts each by one (1) handler member who are handlers of pears in the respective district.

§ 931.21 Term of office.

The term of office of each member and alternate member of the committee shall be for two years beginning July 1 and ending June 30: *Provided*, That the term of office of one-half of the initial grower members and alternates and one-half of the initial handler members and alternates from the Yakima and Medford Districts and the handler member and alternate from the Wenatchee District shall end June 30, 1966. Members and alternate members shall serve in such capacities for the